

DELEGATED DECISION REPORT

HPK/2023/0446
Valid 20/10/2023

2 SPRING GARDENS
BUXTON

APPLICATION FOR REMOVAL
OR VARIATION OF A
CONDITION 3. RE:
ALTERATIONS TO BUILDING
TO FACILITATE THE
CLOSURE OF BANK IN
RELATION TO APPLICATION
HPK/2022/0549.

(FULL - MINOR)

MAIN ISSUES

- Design and Conservation

DESCRIPTION OF SITE

The application relates to No.2 Spring Gardens, Buxton which for a considerable period has been home to Natwest Bank. The property lies in a prominent location at the corner of Spring Gardens and Hardwick Road in the heart of Buxton Town Centre, in the Buxton Central Conservation Area, and within the setting of a number of heritage assets, including 'The Slopes' Grade II Registered Park and Garden.

The site benefits from a recent permission for various alterations to the existing building under HPK/2022/0549 on 25th April 2023, which was subject to a number of Condition 3, which states the following:

3. *Notwithstanding any details shown on the approved plans of this permission, the replacement stone hereby approved relates to the Peak Moor standstone, the sample submitted 28.03.2023*

Reason:- To ensure the satisfactory preservation of this building

PROPOSAL

The application seeks to Vary Condition 3 to secure an alternative stone to be used. The Application Form states that the motive of the proposed variation is the lack of availability of the approved Peak Moor standstone.

The application as submitted is supported by photographs of the proposed 'Shire Hill' stone which tends primarily to be used in paving, rather in external walls.

At the request of Officers, and in response to initial comments from the Conservation Officer, a Method Statement prepared by Capital Stone Renovation Ltd has been submitted, which states the following:

- Capital Stone Renovation tasked with necessary infilling of ATM
- Surrounding stone is Peak Moor Sandstone which is currently available
- Proposal to replicate joint lines in existing stone, including partial stones which have been cut through to install the night safe
- Cill has been templated and cut to same mould with a cill indent
- The inside skin will be infilled with blockwork
- 30mm Ashlar to the exterior will be fixed back with 6-8mm stainless steel wire and M8 Paddle Bolt fixings tied back to the blockwork
- Stone will be bedded with lime and well graded washed local sand.
- Pointing to stonework will be sandstone dust and mix to match the existing stone
- Stone will then be wiped clear with a clean damp sponge

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ6 Design and Place Making
- EQ7 Accessibility and Transport

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Achieving Well Designed and Beautiful Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2022/0549 External works to building (Approved)

CONSULTATIONS

Publicity

Site Notice expiry date: 28th November 2023

Neighbour consultation period ends: 15th November 2023
Press Advert: 23rd November 2023

Public Comments

None

Town / Parish Comments

N/A

Conservation Officer

Initial Response

“The new sample appears to be a bright pavement slab. This will not have the correct dimensions for a walling stone, nor will it be similar to the existing masonry by way of scale or appearance. See image on Heritage Statement page 1. The ATM appears to cut across the cill detailing of the original reveal. Consequently it appears the pavement slab will become one large bright square plugging up the gap? This does not align with their statement that all external works will match existing finishes.”

Further Response

In connection with the Method Statement submitted during the consultation process... no objection subject to a relevant condition that confirms an appropriate method statement for the joints, which specifically does not refer to ‘strap’ or ‘truck’ methods.

Derbyshire County Council Highways

No comments received at time of writing

OFFICER COMMENTS

Principle of Development

The wider development has been found to be acceptable in principle by virtue of the extant planning permission granted under HPK/2022/0549. However, in order to be acceptable, the proposed variation of Condition 3 must ensure that the character and appearance of the building and setting of the Conservation Area more broadly is preserved, having regards to Local Plan Policies EQ6 and EQ7, and relevant restrictive paragraphs under Chapter 16 of the NPPF, underpinned by Section 72 of the Act 1990.

Design & Conservation

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation

area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

The proposed variation relates to the choice of stone used to fill in the area that results from the removal of the ATM cash machine on the frontage that faces Spring Gardens.

Originally concerns were raised with regards to the use of a stone that is more suited to paving. However, a method statement submitted in light of these concerns which specifies exactly how the ATM will be replaced, which includes elements of matching Standstone finish.

The Conservation Officer has requested that whilst the material is satisfactory, thereby allowing condition 3 to be varied as appropriate, a further compliance condition is required in relation to the Method Statement to ensure that certain methods are not used in connection with joints.

Subject to compliance with the varied and newly proposed compliance conditions, it is judged that the character and appearance of the building and wider setting of the Conservation Area will continue to be preserved, in accordance with LP Policies S1, EQ6 and EQ7, and relevant paragraphs under Chapter 16 of the NPPF underpinned by Section 72(1) of the Act 1990.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no

relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application seeks to vary a compliance condition relating to the required use of a specific stone to replace the hole left by a former ATM in the frontage of the former Natwest Bank (2 Spring Gardens).

Further to comments made by the Conservation Officer, the application has been supported by a Method Statement that sets out in detail how the different choice of stone will be integrated into the existing building which includes a Standstone finish on its exterior. A review of this Method Statement allows the condition to be varied as appropriate:

3. *The materials to be used to carry out the development shall be in strict accordance approved sample photographs, and Method Statement that accompanies this application prepared by Capital Stone Renovation Ltd, and shall be retained as such for the lifetime of the development.*

A further compliance condition shall be applied to this decision that states the following, as recommended by the Conservation Officer:

4. *The pointing method for the fine joints associated with the blocking up of the former ATM shall not at any time include 'strap' or 'truck' methods.*

Subject to the above, and all other conditions relating to the original application continuing to apply, the proposal is judged to preserve the character and appearance of the building and wider setting of the Conservation Area will continue to be preserved, in accordance with LP Policies S1, EQ6 and EQ7, and relevant paragraphs under Chapter 16 of the NPPF underpinned by Section 72(1) of the Act 1990.

The application is thus recommended for approval in line with the above.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 22nd January 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council